

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49680 of 2014**

Arising Out of PS.Case No. -501 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT District-  
EASTCHAMPARAN(MOTIHARI)

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1. Dilbas Mian s/o Habib Mian  
2. SK. Irshad s/o late Diljaan Mian Both are Resident of village -  
Sakhauna, P.S.- Ghorashan Disst- East Champaran, Motihari

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. Shailendra Kumar-Ii(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

3      15-05-2015                      Heard learned counsel for the petitioners and  
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with  
Complaint Case No. 501 of 2012 in which, cognizance has been  
taken under Section-376 of the Indian Penal Code.

The contention on behalf of the petitioners is that the  
complainant is a lady of questionable character and prior to this  
case, she had filed cases against innocent persons with an intention  
to fetch money from them. It is further pointed out by him that  
there was dispute between the complainant and her agnates and  
petitioners were witnesses in the aforesaid dispute and that is the  
reason, the complainant has brought this false case. It is further

contended by him that much prior to filing of the present complaint, a proceeding u/S 107 of the Cr. P.C. had also been initiated against the petitioner No. 1. It is further contended by him that moreover, even if, contents of complaint petition assumed to be true, then also, it would appear that the complainant was a consenting party.

Considering the facts and circumstances of the case as well as submission of the parties, let the petitioners named above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Complaint Case No. 501 of 2012 to the satisfaction of Learned Judicial Magistrate-Ist Class, Sikrahana, Motihari.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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